

BOARD OF HEALTH
Bangs Community Center: Glass Room
Minutes

October 26, 2010

BOH Members: David Ahlfeld, Maria Bulzacchelli, Nancy Gilbert, David Kaufman

Staff: Julie Federman, Pamela Field-Sadler

Other: Matthew Sadof, MD-Amherst Resident, Diana Stein-Amherst Board of Selectmen Liaison

Meeting opened at 7:05 p.m.

I. Review & Receive

A. Meeting Minutes

1. Meeting Minutes from September 30, 2010 – **Approved with modification**

II. Old Business

A. Keeping of Livestock and Poultry

Chairman Ahlfeld reported he had composed and forwarded a letter to Amherst Planning Director Jonathan Tucker communicating the position of the Board of Health (BOH) on the proposed zoning bylaw changes regarding Accessory Livestock and Poultry.

B. Board of Health Member Recruitment

Amherst resident Matthew Sadof, MD in attendance.

Ms. Federman introduced Dr. Sadof to the Board of Health (BOH.) Dr. Sadof explained he is a pediatrician with Baystate Health; Dr. Sadof also works with the Pioneer Valley Asthma Coalition and has expertise in the areas of asthma and indoor air quality. The BOH provided information regarding: member commitment and expectations; the process underwent by the BOH when developing the Smoking Disclosure Regulation; the roles of the Health Department and the BOH; the appointment process. The BOH advised Dr. Sadof to complete a Citizen Activity Form found on the town website if he is interested in being considered for appointment to the BOH.

C. Smoking Disclosure Regulation

The Board of Health (BOH) members signed two copies of the approved *Town of Amherst Regulation: Smoking Disclosure in Multi-Unit Rental Residences*. The BOH discussed notifying landlords of the regulation through a mailing to include: a cover letter; a copy of the regulation; the legal notice; a sample smoking policy template. Ms. Federman and Ms. Field-Sadler will work together to create a smoking policy template; the template will be forwarded to the BOH for review.

D. Electronic Cigarettes

The Board of Health (BOH) agreed to include non-U.S. Food and Drug Administration (FDA) approved nicotine delivery systems in the *Regulations of the Amherst Board of Health: Tobacco Sales Permits and Sale of Tobacco Products to Minors*. The BOH agreed the definition for “Tobacco Product” in Section C will be amended to include the language: “*and any non-FDA approved nicotine delivery systems such as electronic cigarettes.*” The BOH

discussed a potential effective date for the amended regulation. Ms. Federman reported she expects to enter into an agreement with the Mount Tom Tobacco Control Coalition within 2 or 3 months for services which will include tobacco compliance checks.

Motion: Ms. Gilbert made the motion, seconded by Mr. Kaufman, to amend the definition for “Tobacco Product” in Section C of the *Regulations of the Amherst Board of Health: Tobacco Sales Permits and Sale of Tobacco Products to Minors* to include the language: “and any non-FDA approved nicotine delivery systems such as electronic cigarettes.” **Vote:** Unanimous

Motion: Ms. Bulzacchelli made the motion, seconded by Mr. Kaufman, the effective date of the amended *Regulations of the Amherst Board of Health: Tobacco Sales Permits and Sale of Tobacco Products to Minors* will be January 1, 2011. **Vote:** Unanimous

Ms. Field-Sadler will prepare the amended regulation for the BOH to sign at their next meeting.

III. Health Director’s Report

A. 12 Longmeadow Drive

An abutter to the Butternut Farms Housing Project located at 12 Longmeadow Drive has brought forth concerns regarding contaminated soil on the site, and site run-off containment. Although Amherst Town Counsel has determined the Department of Environmental Protection (DEP) is responsible to oversee and monitor the building site, Ms. Federman and other town department representatives participated in a site visit with the project contractors and Housing Assistance Program (HAP) representatives. Results from soil sampling completed in 2010 indicate low concentrations of lead and arsenic are present in some site soil. Ms. Federman and Chairman Ahlfeld have reviewed a report which includes the testing results, the management plan to be followed in removing the contaminated soil, and recommendations for preventing future soil exposure. Ms. Federman will forward the report to Ms. Bulzacchelli and Ms. Stein. Ms. Federman will continue to provide updates to the BOH regarding this issue as needed.

B. Amherst Water Supply

Ms. Federman summarized the events of the recent water emergency for the Board of Health (BOH.) Three samples of the Amherst water system collected on Wednesday - October 20, 2010, tested positive for Total Coliform and/or E. Coli. The Department of Environmental Protection (DEP) required more samples be collected and tested on Friday - October 22, 2010 with results to be received on Saturday - October 23, 2010. On Friday - October 22, 2010, representatives from town departments and the University of Massachusetts gathered and formulated a plan of action under the strict guidelines of the DEP. In an effort to notify the public of the potential for a “Boil Water Order” to be necessary, a press release was distributed to the media and a notice was sent home with Amherst school children. A phone bank staffed by the Health Department was initiated in order to take calls from concerned residents. On Saturday - October 23, 2010, the results from the samples collected on Friday - October 22, 2010 were reported to be normal; a reverse 911 call was disseminated notifying residents the water supply was safe. Ms. Federman

reported remedial steps, including flushing and the addition of extra chlorine, have been taken to ensure the quality of the water system. The BOH congratulated Ms. Federman and the Health Department on their professional handling of the water event.

C. Winter Warming Shelter

Milestone Ministries, partnering with Vita Nova, have been selected to manage the warming shelter which will be located at the First Baptist Church. The Town Manager has organized a team of town department representatives, including Ms. Federman, to oversee and ensure a smooth and safe start-up for the warming shelter. Ms. Federman reports all food for the shelter will be prepared in the site kitchen which is inspected by the Health Department, and a staff member certified as a food protection manager will be on site. Ms. Federman has inspected the cots to be used for resting, and is reviewing the plan for the separation of guests by gender.

D. Bed Bug Seminar

The Health Department hosted a seminar to provide education and information on bed bugs for a target audience of landlords, property managers and bed and breakfast establishment managers. Craig Hollingsworth from the University of Massachusetts, who serves on a local Bed Bug Task Force, provided an informative presentation for approximately thirty-five attendees. Mr. Hollingsworth's presentation focused on bed bug identification, surveillance, control and prevention. The Health Department anticipates offering similar seminars targeted toward students and the general public.

E. New Town Manager

Ms. Federman reports the transition of the new Town Manager John Musante is going well. Mr. Musante supports and is encouraging team collaboration between departments. In the absence of Fire Chief/Emergency Management Director Tim Nelson during the recent water supply event, Mr. Musante provided great leadership to the town departments working to manage the emergency.

F. Restaurant Inspections Article

A recent article in the *Daily Hampshire Gazette* reported Amherst restaurant inspections continue to be in good shape. Ms. Stein will forward the article to Ms. Field-Sadler; Ms. Field-Sadler will forward the article to the Board of Health members.

IV. Schedule Next Board of Health Meeting/Agenda Closing Date

- A.** The next Board of Health meeting is scheduled for November 18, 2010.

Meeting Adjourned: 8:45 p.m.

Pamela Field-Sadler, Management Assistant

Approved: 11-18-2010

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Meeting Document List

The following documents were available to the Board of Health during their scheduled meeting. These documents are available for review at the:

Amherst Health Department, 70 Boltwood Walk, Amherst, MA 01002

- Meeting Agenda
- Meeting Minutes: September 30, 2010 (draft)
- Tobacco
 1. Smoking Disclosure Regulation
 1. Approved regulation: *Town of Amherst Regulation Smoking Disclosure in Multi-Unit Rental Residences*
 2. Draft Legal Notice